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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,786	01/12/2001	Ralf Hofmann	P-4596	2858
7590	08/08/2005		EXAMINER	
Forrest Gunnison Gunnison, McKay & Hodgson, L.L.P 1900 Garden Road, Suite 220 Monterey, CA 93940			BATES, KEVIN T	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/759,786	HOFMANN ET AL.	
	Examiner Kevin Bates	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 19 May 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-23,28 and 29 is/are pending in the application.
 4a) Of the above claim(s) 24-27 is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-23,28 and 29 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>7-21-05</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

Response to Amendment

This Office Action is in response to a communication made on May 19, 2005.

The Information Disclosure Statement was received on July 21, 2005 and has been considered.

Claims 1-2, 7, 9-10, 14, 22-23, 28, and 29 have been amended.

Claims 1-29 are pending in this application.

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-23 and 28-29, drawn to presenting a runtime environment component on a first computer from a second computer, classified in class 709, subclass 223.
- II. Claims 24-27, drawn to a remote frame window class, classified in class 709, subclass 203.

Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because it only needs some sort of user interface infrastructure. The subcombination has separate utility such as outputting any type of display to anything.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

During a telephone conversation with Forrest Gunnison on August 4, 2005 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-23 and 28-29. Affirmation of this election must be made by applicant in replying to this Office action. Claims 24-27 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-23 and 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by King (5958013).

Regarding claim 1, King discloses a method for presenting a runtime environment component service by a first computer system to a second computer system over a communication network (Column 7, lines 48 – 50), said method being performed by said first computer system and comprising: generating a user interface infrastructure, on said first computer system, to receive graphic user interface events

from a lightweight component on from said second computer system and to send remote graphic user interface commands to said lightweight component on said second computer system (Column 8, lines 38 – 48; Column 10, line 49 – Column 11, line 8); and using said user interface infrastructure to initialize said runtime environment component service on said first computer system wherein said runtime environment component service sends graphic user interface commands to said user interface infrastructure on said first computer system (Column 10, line 49 – Column 11, line 8).

Regarding claim 2, King discloses receiving by said user interface infrastructure a remote input action event via said communication network (Column 10, lines 56 – 60), said remote input action event being generated in said second computer system by said lightweight component corresponding to said runtime environment component service on said first computer system (Column 7, lines 50 – 57).

Regarding claim 3, King discloses transmitting an input event to said runtime environment component service by said user interface infrastructure in response to said remote input action event (Column 10, lines 56 – 60).

Regarding claim 4, King discloses processing said input event by said runtime environment component service (Column 10, lines 56 – 60).

Regarding claim 5, King discloses generating a graphic user interface command to said user interface infrastructure by said runtime environment component service (Column 10, line 65 – Column 11, line 4).

Regarding claim 6, King discloses transmitting a remote graphic user interface command to said lightweight component by said graphic user interface infrastructure in

response to said graphic user interface command (Column 10, lines 49 – 54; Column 10, line 65 – Column 11, line 4).

Regarding claim 7, King discloses a method for presenting a runtime environment component service by a first computer system to a second computer system over a communication network (Column 7, lines 48 – 50), said method being performed by said first computer system and comprising: receiving a remote input action command for a runtime environment component service on said first computer system via said communication network (Column 10, lines 56 – 60), said remote input action command being generated in said second computer system by a lightweight component corresponding to said runtime environment component service on said first computer system (Column 10, lines 49 – 54; Column 10, line 65 – Column 11, line 4); transmitting a local input action command to said runtime environment component service in response to said remote input action command (Column 12, lines 27 – 38; Column 11, lines 24 – 27); processing said local input action command by said runtime environment component service (Column 11, lines 24 – 27); generating a local output command by said runtime environment component service for a graphical user interface infrastructure on said first computer system (Column 12, lines 39 – 49); and transmitting a remote output command to said lightweight component in response to said local output command (Column 10, lines 49 – 54; Column 10, line 65 – Column 11, line 4).

Regarding claim 8, King discloses that said runtime environment component service is in an office application suite (Column 1, line 65 – Column 2, line 7).

Regarding claim 9, King discloses receiving said local output command by a local window object on said first computer and in response generating said remote output command by said local window object (Column 12, lines 39 – 49).

Regarding claim 10, King discloses receiving said remote input action command by a local window object on said first computer system and in response generating said local input action command by said local window object (Column 12, lines 25 – 38; Column 11, lines 24 – 27).

Regarding claim 11, King discloses receiving said remote input action command by said local window object, and in response generating said local input action command by said local window object (Column 12, lines 25 – 38; Column 11, lines 24 – 27).

Regarding claims 12 and 13, King discloses that said remote input action command is a user interface event (Column 10, lines 56 – 60).

Regarding claim 14, King discloses a method comprising: receiving a command by a service executing on a computer system to create an infrastructure for executing a runtime environment component service on said computer system (Column 12, lines 10 – 26), wherein said command is from a component executing on a user device; and issuing an instruction on said computer system to create an instance of a remote frame window on said user device (Column 10, lines 49 – 53).

Regarding claim 15, King discloses generating an instance of a local window on said computer system by said service, wherein said local window issues remote

instructions to said remote window frame in response to instructions from said runtime environment component service (Column 12, lines 10 – 38).

Regarding claim 16, King discloses that querying said remote frame window by said local window to determine properties of said remote frame window (Column 12, lines 10 – 26).

Regarding claim 17, King discloses generating, on said computer system, a local frame for said local window (Column 12, lines 10 – 26).

Regarding claim 18, King discloses receiving, by said local frame, a command from said user device to load a document (Column 11, lines 34 – 36).

Regarding claim 19, King discloses issuing, in response to said command to load a document (Column 11, lines 34 – 36), a command by said local frame to said runtime environment component service to create an instance of a runtime environment component service window on said computer system (Column 12, lines 11 – 26).

Regarding claim 20, King discloses issuing a command by said local frame to said runtime environment component service to load said document in said runtime environment component service window (Column 11, lines 34 – 36).

Regarding claim 21, King discloses issuing a command from said runtime environment component service to said local window to display said document (Column 12, lines 24 – 26).

Regarding claim 22, King discloses a method for enabling a user device to run a runtime environment component on another computer (Column 7, lines 48 – 50), said method comprising: running a browser on said user device; and running a lightweight

component within said browser (Column 8, lines 38 – 48; lines 66 – 67), wherein said lightweight component receives user input actions on said user device and generates corresponding user interface events to said another computer for processing by said runtime environment component on said another computer system (Column 10, lines 56 – 60).

Regarding claim 23, King discloses downloading said lightweight component into said user device (Column 12, lines 11 – 15).

Regarding claim 28, King discloses a computer program product comprising computer code for a method for presenting a runtime environment component service by a first computer system to a second computer system over a communication network (Column 7, lines 48 – 50), said method being performed by said first computer system; said method comprising: generating a user interface infrastructure, on said first computer system, to receive graphic user interface events a lightweight component on from said second computer system and to send remote graphic user interface commands to said lightweight component on said second computer system (Column 8, lines 38 – 48; Column 10, line 49 – Column 11, line 8); and using said user interface infrastructure to initialize said runtime environment component service on said first computer system wherein said runtime environment component service sends graphic user interface commands to said user interface infrastructure on said first computer system (Column 12, lines 10 – 26).

Regarding claim 29, King discloses a computer program product comprising computer code for a method for presenting a runtime environment component service

by a first computer system to a second computer system over a communication network (Column 7, lines 48 – 50), said method being performed by said first computer system and comprising: receiving a remote input action command for a runtime environment component service on said first computer system via said communication network (Column 10, lines 56 – 60), said remote input action command being generated in said second computer system by a lightweight component corresponding to said runtime environment component service on said first computer system (Column 8, lines 38 – 48); transmitting a local input action command to said runtime environment component service in response to said remote input action command; processing said local input action command by said runtime environment component service (Column 12, lines 26 – 38); generating a local output command by said runtime environment component service for a graphical user interface infrastructure on said first computer system; and transmitting a remote output command to said lightweight component in response to said local output instruction (Column 12, lines 39 – 49).

Response to Arguments

Applicant's arguments filed May 19, 2005 have been fully considered but they are not persuasive.

The applicant argues that the reference King, discloses that the user interface is established on the remote computer which mapped to the second computer system in the rejection, not the first computer system. The examiner disagrees, the claimed invention states that the first computer generates a user interface infrastructure which sends and receives graphical user interface events from a component on a second

computer system and that the second computer contains a lightweight component that receives and sends graphical user events to a user interface infrastructure. The reference, King, discloses a runtime interface infrastructure running on a first computer system (Figure 5, element 520 and sess3270) and a lightweight component running on a host computer (Figure 5, element 140 and 240). This is better described in King, on column 8, lines 1 – 19, where the remote computer sets up an interface infrastructure from information found on a host access resource location. The remote computer then sets up a session for a terminal emulation with the host application (Column 8, lines 18 – 21), where the terminal emulation includes establishing a user interface between the remote computer and the application (Column 8, lines 40 – 49) so it is clearly seen that the infrastructure is on the remote computer, which would make it the first computer system and that the host application includes the lightweight component and is the second computer system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB
August 4, 2005



SALEH NAJJAR
PRIMARY EXAMINER